

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Tristan Amos,

Case No. 0:23-cv-1282 (KMM/LIB)

Petitioner,

v.

ORDER

Michael Segal, *Warden*,

Defendants.

On September 27, 2023, the Court issued an Order denying Petitioner Tristan Amos' habeas corpus petition and dismissing this action without prejudice. ECF No. 6. A Judgment was entered on September 28th and Petitioner filed a notice of appeal on November 21st. ECF Nos. 7, 9. Before the Court is Petitioner's Application to Proceed In Forma Pauperis ("IFP") on Appeal. ECF No. 13. The Prison Litigation Reform Act's filing fee provisions do not apply to habeas actions under 28 U.S.C. § 2241. *Jacobs v. Barnes*, 857 F. App'x 896, 897 (8th Cir. 2021) (per curiam) (citing *Malave v. Hedrick*, 271 F.3d 1139, 1140 (8th Cir. 2001)). Pursuant to Fed. R. App. P. 24(a)(1)(A), Petitioner filed the required documentation showing an inability to pay the appellate filing fee and the Court finds Petitioner is financially eligible for IFP status. Accordingly, the application to proceed IFP on appeal is **GRANTED**.

IT IS SO ORDERED.

Date: December 5, 2023

s/Katherine Menendez

Katherine Menendez

United States District Judge